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A legal framework for a transnational offshore grid in the North Sea

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STELLINGEN

Behorende bij het proefschrift *A legal framework for a transnational offshore grid in the North Sea*
van Hannah Katharina Müller

1. A transnational offshore grid will not be developed under the current legal framework as established under international law, EU law and national law.
2. The legal regime under UNCLOS focuses on the national exploitation of offshore wind energy. Jurisdiction over alternative options such as the connection of offshore wind farms to interconnectors is not expressly provided.
3. Regarding the development of cross-border offshore wind projects, the two EU- objectives of promoting renewable energy sources and facilitating the internal energy market can be conflicting.
4. The applicability of EU law to the exclusive economic zone is limited.
5. The EU does not have a competency under the EU Treaties to require Member States to develop a transnational offshore grid.
6. More complex projects such as the clustering of offshore wind farms or the connection of offshore wind farms to interconnectors face substantial legal and regulatory barriers under national law.
7. To facilitate the development of cross-border offshore wind farm projects and the related grid infrastructure, the North Sea states need to conclude a regional agreement that establishes an alternative legal framework.
8. Realising the energy transition is the most important challenge for our society.
9. Although energy law is often not recognised as an independent field of law, one may not underestimate the importance of this legal discipline in the energy transition.
10. "Anyone having visions should go and see a doctor." / "Wer Visionen hat, soll zum Arzt gehen." (Helmut Schmidt)